

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal Action No. 3:98CR101-HEH
	)	Civil Action No. <u>3:16cv600</u>
SANTRA LAVONNE RUCKER,	)	
	)	
Petitioner.	)	

**MEMORANDUM OPINION**  
**(Dismissing Successive 28 U.S.C. § 2255 Motion)**


By Memorandum Opinion and Order entered on April 5, 2010, the Court denied a 28 U.S.C. § 2255 Motion filed by Petitioner (ECF Nos. 410, 411). On July 6, 2016, the Court received another 28 U.S.C. § 2255 Motion (“Successive § 2255 Motion,” ECF No. 517) from Petitioner.

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a “gatekeeping mechanism.” *Felker v. Turpin*, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, “[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.” 28 U.S.C. § 2244(b)(3)(A). The Court has not received permission from the United States Court of Appeals for the Fourth Circuit to entertain Petitioner’s Successive § 2255 Motion. Because the Court has not received authorization from the

Fourth Circuit to file the Successive § 2255 Motion, the action will be dismissed for want of jurisdiction. A certificate of appealability will be denied.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: Sept. 27, 2016  
Richmond, Virginia

  
\_\_\_\_\_/s/  
HENRY E. HUDSON  
UNITED STATES DISTRICT JUDGE